

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BENEFICIAL INNOVATIONS, INC.

vs.

AOL LLC, ET AL.

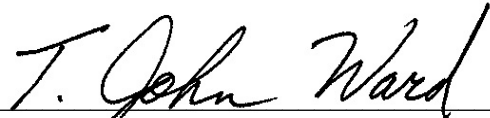
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CASE NO. 2:07-CV-555

**MEMORANDUM ORDER**

The above-titled and numbered civil action was heretofore referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge, which contains his recommendation for the disposition of defendants' motions (Dkt. Nos. 68 and 71) have been presented for consideration. No objections were filed to the Report and Recommendation. The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts the report of the United States Magistrate Judge as the conclusions of this court. Accordingly, the court denies the defendants' motions.

SIGNED this 30th day of March, 2009.

A handwritten signature in black ink, reading "T. John Ward", is written over a horizontal line.

T. JOHN WARD  
UNITED STATES DISTRICT JUDGE